

University of Toronto Faculty of Law

BIOTECHNOLOGY, PATENTS AND MORALITY

A DELIBERATIVE AND PARTICIPATORY PARADIGM
FOR REFORM

Michelle K. Scott, LL.M.



Biotechnology Patents And Morality

Duncan Matthews, Paul Torremans



Biotechnology Patents And Morality:

Biotechnology, Patents and Morality Sigrid Sterckx, 2017-11-01 This title was first published in 2000 This work documents an international and interdisciplinary workshop on the ethical aspects of the patenting of biotechnological inventions including genes plants and animals The public perception is discussed along with how these perceptions relate to ethical social and cultural factors The legal framework in Europe is laid out by several experts in the field of patent law and the situation in the US is also briefly described This edition also includes a general discussion of three important theories called upon to justify the patent system the natural rights argument the distributive justice argument and the utilitarian argument The chapter about the European Directive on the legal protection of biotechnological inventions has been updated A selection of provisions from the August 1997 draft as well as the final text of the Directive as adopted on 12 May 1998 are discussed and commented upon The patent provisions of the TRIP s Agreement the Agreement on Trade Related aspects of Intellectual Property rights concluded in 1994 as an Annex to the Agreement Establishing the World Trade Organization are also discussed and criticized paying particular attention to the implications for biotechnology patents Finally the question is asked whether the developing countries stand to gain anything from TRIPs A look at the results of empirical research conducted by commentators on the economics of patenting reveals that the new patent regime may prove to entail significant costs for the developing countries This second edition also contains material on the EU Directive on biotechnology patents adopted in May 1998 justificatory theories of the patent system and the TRIP s agreement on Trade Related aspects of Intellectual Property rights concluded in the GATT WTO framework *Biotechnology, Patents and Morality* Maureen O'Sullivan, 2019-06-19 This book critiques the decision making process in Article 53 a of the European Patent Convention To date such decisions have been taken at high levels of expertise without much public involvement The book eschews traditional solutions such as those found within legislative judicial and patent office realms and instead develops a radical blueprint for how these decisions can be put to the public By examining wide scale models of participatory democracy and deliberation this book fills a significant gap in the literature It will be invaluable for patent lawyers academics practitioners and intellectual property and patent officials Biotechnology, Patents, and Morality Sigrid Sterckx, 2000 This work documents an international and interdisciplinary workshop on the ethical aspects of the patenting of biotechnological inventions including genes plants and animals The public perception is discussed along with how these perceptions relate to ethical social and cultural factors The legal framework in Europe is laid out by several experts in the field of patent law and the situation in the US is also briefly described Biotechnological Inventions Oliver Mills, 2016-04-15 Advances in modern biotechnology have produced profound and far reaching implications for the relationship between humans animals and the environment As a result a debate has arisen surrounding the legal moral and social problems connected with this technology a central part of the debate focusing on the role of moral considerations in the patent system as a form of regulation This

fully revised and updated book examines this role and asks why in the context of biotechnological inventions morality has become an important issue It takes account of recent developments including reference to the situation in Australia By examining such specific recent cases the author elucidates the moral concerns associated with modern biotechnology thus providing an important contribution to the debate and a valuable resource for all those working in this exciting field

Patents on Life Thomas C. Berg,Roman Chohij,Simon Ravenscroft,2020 A unique collection of legal religious ethical and political perspectives on debates surrounding biotechnology patents or patents on life The Morality of Biotech Patents Richard Ford,1997 **Biotech Patents and Morality After Brustle** E. Bonadio,2012 *Morality in the Unitary Patent System* Joanna Wisniowska,2026-02-16 Under the rules of European patent law inventions whose commercial exploitation is contrary to morality are denied exclusive protection however there is currently no standardised mechanism for interpreting the morality exception In this pioneering book Joanna Wisniowska proposes a novel method of interpreting the morality clause in European patent law **Handbook of Intellectual Property Research** Irene Calboli,Maria Lilla Montagnani,2021 This book offers a comprehensive overview of the methods and approaches that could be used as guidelines to address and develop scholarly research questions related to intellectual property law bringing together contributions from a diverse group of scholars who derive from a wide range of countries backgrounds and legal traditions

European Patent Law Duncan Matthews,Paul Torremans,2023-10-04 This book provides a comprehensive overview of European Patent Law It presents a critical analysis of the European patent law system and the proposed changes to it The book explores the strengths and weaknesses of the European Patent Convention and the interaction between the national and the European level as well as across borders **Novel Beings** David R. Lawrence,Sarah Morley,2022-12-06 Novel Beings is a forward looking exploration into the divide between proactive and reactive regulatory approaches to the cross section of biotechnology and artificial intelligence AI research Addressing an innovative area of academic study Novel Beings questions how this research which has the potential to create new forms of morally valuable life could be regulated

Patents for Chemicals, Pharmaceuticals and Biotechnology Philip W. Grubb,2004 Previous editions 1st and 2nd published under titles 1st 1982 Patents for chemists 2nd 1986 Patents in chemistry and biotechnology 3rd edition published in 1999 **Modern Intellectual Property Law** Catherine Colston,Kirsty Middleton,2005 The authors provide undergraduate students with a substantial view of intellectual property law dealing with principles academic issues and practical considerations **Biotech Patents:Equivalency and Exclusions Under European and U. S. Patent Law** Li Westerlund,2002-08-29 An academic work this volume examines patent and intellectual property laws with reference to the biotechnical industries in both Europe and the United States **Biotechnology and Patent Law** N. S. Sreenivasulu,2008 Intellectual Property and Emerging Technologies Matthew Rimmer,Alison McLennan,2012-01-01 This unique and comprehensive collection investigates the challenges posed to intellectual property by recent paradigm shifts in biology It

explores the legal ramifications of emerging technologies such as genomics synthetic biology stem cell research nanotechnology and biodiscovery Extensive contributions examine recent controversial court decisions in patent law such as *Bilski v Kappos* and the litigation over Myriad's patents in respect of BRCA1 and BRCA2 while other papers explore sui generis fields such as access to genetic resources plant breeders rights and traditional knowledge The collection considers the potential and the risks of the new biology for global challenges such as access to health care the protection of the environment and biodiversity climate change and food security It also considers Big Science projects such as biobanks the 1000 Genomes Project and the Doomsday Vault The interdisciplinary research brings together the work of scholars from Australia Canada Europe the UK and the US and involves not only legal analysis of case law and policy developments but also historical comparative sociological and ethical methodologies Intellectual Property and Emerging Technologies will appeal to policy makers legal practitioners business managers inventors scientists and researchers

Patent Law and Modern Biotechnology E. S. van de Graaf, 1997 *Journal of the Patent and Trademark Office Society*, 2005 Patenting Biotechnical Innovation Hawkins, Naomi, 2022-07-08 This book examines patent law and policy in biotechnology across the full lifecycle of the patent focusing on the patent bargain and the public interest It considers the central issues of how to strike an effective balance of rights and whether public interest is adequately safeguarded two issues that are particularly important in areas of rapidly emerging technology

Transformations in American Legal History Daniel W. Hamilton, Alfred L. Brophy, 2009 During his career at Harvard Morton Horwitz changed the questions legal historians ask In this book Horwitz's students re-examine legal history from America's colonial era to the late twentieth century The essays are like Horwitz provocative and original as they continue his transformation of American legal history

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